

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DANIEL L. BARBARA, SR., *et al.*,

Plaintiffs,

v.

SAWYER COUNTY, WISCONSIN, *et al.*,

Defendants.

ORDER

13-cv-83-wmc

Lead plaintiffs Daniel L. Barbara, Sr., and his wife, Lee Anne Barbara, have filed a complaint against the defendants under 42 U.S.C. § 1983, alleging civil rights violations in connection with a state court child-custody dispute. That complaint, filed by plaintiffs *pro se*, appears to lack merit as to some, if not all defendants, but the court's immediate concern is that it identifies several minor children by their full names in violation of privacy restrictions found in Rule 5.2(a) of the Federal Rules of Civil Procedure. This rule requires all litigants to redact the "name of an individual known to be a minor," referencing such an individual only by the minor's initials. FED. R. CIV. P. 5.2(a)(3).

To protect the privacy of the minor children identified by plaintiffs, the Clerk's Office will be instructed to strike the original complaint from the record, meaning that it will have no force or effect in this lawsuit. The clerk's office will then redact from that complaint all references to the full names of any minors (leaving only initials) in compliance with the federal rules.

ORDER

IT IS ORDERED that:

1. The Clerk's Office shall STRIKE the complaint filed by plaintiffs Daniel L. Barbara, Sr., and Lee Anne Barbara, dkt. # 1, from the record and retain the original UNDER SEAL.
2. The Clerk's Office shall then redact from that complaint all references to the full names of any minors (leaving only initials) and re-file the redacted version as a separate docket entry.
3. Plaintiffs' failure to comply with Rule 5.2(a) by deleting full names of any minors from future filings may result in sanctions, including but not limited to the dismissal of this case under Fed. R. Civ. P. 41(b).

Entered this 5th day of February, 2013.

BY THE COURT:

/s/
WILLIAM M. CONLEY
District Judge